

S. RES. 21

SEC. 7. The select committee shall institute and carry out such rules and procedures as it may deem necessary to present (1) the disclosure, outside the select committee, of any information relating to the activities of the Central Intelligence Agency or any other department or agency of the Federal Government engaged in intelligence activities, obtained by the select committee during the course of its study and investigation, not authorized by the select committee to be disclosed; and (2) the disclosure, outside the select committee, of any information which would adversely affect the intelligence activities of the Central Intelligence Agency in foreign countries or the intelligence activities in foreign countries of any other department or agency of the Federal Government.

SEC. 8. As a condition for employment as described in section 3 of this resolution, each person shall agree not to accept any honorarium, royalty or other payment for a speaking engagement, magazine article, book, or other endeavor connected with the investigation and study undertaken by this committee.

SEC. 9. No employee of the select committee or any person engaged by contract or otherwise to perform services for the select committee shall be given access to any classified information by the select committee unless such employee or person has received an appropriate security clearance as determined by the select committee. The type of security clearance to be required in the case of any such employee or person shall, within the determination of the select committee, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by the select committee.

STATEMENTS

SENATOR PASTORE:

Mr. President, I wish to make it abundantly clear at the outset that the FBI, the CIA, and Military Intelligence are absolutely necessary to the security and the survival of this great Republic. Anyone who questions for a moment, anyone who should try or anyone who should even begin to imagine that the Senator from Rhode Island is trying to do anything to disrupt or to injure in any way these fine agencies, should immediately disabuse his mind of it.

SENATOR TOWER:

I would express the hope ... that we can conduct our work in a responsible way, so as to preserve the confidentiality of matters that impact on the national security of the United States of America.

I might mention one other thing, Mr. President, and that is not only the necessity to protect some of our agents or some of our covert operations abroad, but also the confidence placed in us by foreign governments. We must, I think, be careful not to embarrass foreign governments, not just friendly governments, but perhaps some mutual [neutral?] governments and some that may not appear to be so friendly that may have supplied us some cooperation; and I would hope we would take care not to embarrass governments of these countries.

SENATOR BAKER:

(In regard to SEC. 7.)

... This amendment, of course, is an antileak amendment. I think that is fine. I hope we succeed.

SENATOR YOUNG:

Mr. President, I cannot help but be deeply concerned about the future effectiveness of the Central Intelligence Agency. No intelligence operation--particularly involving clandestine operations in foreign countries or involving some of our most advanced technology, especially in defense areas--can be publicly disclosed without endangering our sources of information, the lives of those involved in this type of intelligence operations, and the very effectiveness of an intelligence-gathering organization.

SENATOR STENNIS:

Primarily, CIA is a Government agency collecting foreign intelligence of the most highly sensitive nature.

To be effective, it must be secret. If intelligence facts are disclosed, they often lose all of their value. If an adversary merely infers that we have certain intelligence, often it is no longer of value.

An illustration would be work on a code.

As we go through investigations, let us keep in mind the dangers from exposures. Exposures can be a matter of life and death to Americans abroad as well as friendly foreigners. This opinion is strongly shared by many highly respected persons, including Director Colby, who have been a part of the operations and know the facts first-hand. Friendly governments and friendly foreigners will greatly reduce, if not terminate their cooperation and assistance. They already have. The information flow has been greatly reduced. Our relations with other nations have been strained. Exposure of sensitive facts through hearings, through pressures, through staff members, or through other sources, regardless of the good intentions of the actors, comes at a price we cannot bear.

SENATOR TOWER:

... But it is my intention that we should not have people on the staff who would be security risks.

SENATOR BAKER:

We all share that concern. Let us very much hope we succeed in keeping leaks from occurring altogether. I assure the Senator that this will be the case as far as this Senator is concerned.

SENATOR PASTORE:

(Discussing SEC. 9.)

... No one can look at classified information unless they have a clearance.

If a personal staff member of any member of the committee has that clearance, he or she can be entitled to that classified information only if the committee gives permission.

SENATOR GOLDWATER:

It is my hope that the Senate select committee will proceed in a careful and deliberate manner. I believe the committee's work, at least initially, should be in camera.

Most of the Senators and staff, who are going to serve on the committee, are not thoroughly familiar with the organization and functions of the intelligence community. Before any decision on open hearings is made, I would hope the members and staff would have ample opportunity to do some homework.

The Senators and staff who serve on the select committee are going to have knowledge of a lot of matters which, if improperly handled, can cause our Nation harm.

It is important that the select committee establish sensible rules in dealing with the intelligence community. In other words, let us get the information we need to do the job but no more.

There is a reason over and above security considerations for the select committee to hold its meetings in camera: The basic American idea of protecting professional and personal reputations unless unlawful or unethical acts are involved.

SENATOR MANSFIELD:

... Most emphatically, I would express the hope, too, that committee staff would be selected with as much concern for discretion as for other qualifications. What comes to the public from this committee and when, ought to be solely-- I stress the word "solely"--determined by the members of the committee.

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Legislative Counsel
7D49

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DATE

4 February 1975

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. Director

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Per your request, attached are statements regarding security made during the January 27th debate on the formation of the Senate Select Committee. Perhaps the strongest statements on security are the last three sections of the resolution itself, so I have included those as well.

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